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San José City Council Unanimously Adopts Sunshine Reforms
*Councilmembers Vote to Put City Officials' Calendars Online
and Expand Public Outreach for Projects with Citywide Impact*

SAN JOSE – Mayor Chuck Reed and the San José City Council on Tuesday adopted sweeping requirements for disclosing information to the public and for involving the public more in citywide issues.

“This is an important step in our efforts to transform the way San José does business,” said Mayor Reed. “We are working to instill a culture of honesty, fiscal responsibility, and open government at City Hall. To do so, requires the city officials to be transparent and to increase our level of public involvement in major issues.”

In the short-term, the most significant change is a new requirement that the Mayor and City Councilmembers, their lead staff person, and four Council Appointees (City Manager, City Clerk, City Attorney, Executive Director of the Redevelopment Agency) to post their calendars online weekly. City department heads will be required to maintain a calendar, although these would not be posted online. The calendar entries will show names, titles, and affiliations of meeting attendees, as well as a general statement about the subject(s) discussed in the meeting. The Council granted exemptions for personal and private appointments, such as a meeting with a child’s teacher or a medical appointment.

“The Mayor and Council are elected to serve the public, and the public deserves to know how we use our time and who we meet with,” said Mayor Reed.

Tuesday’s action follows the City Council’s adoption of tighter regulations for lobbyists on June 19 and passage of the majority of the Mayor’s Reed Reforms earlier this year.

The recommendations came to the City Council from the Sunshine Reform Task Force, a citizen-led group that will continue to meet publicly and will return to the Council in the Fall with additional open government recommendations.

The Council also approved new rules limiting closed session meetings that go beyond the State of California’s Ralph M. Brown Act open meetings law. “The public should know what was discussed during closed session,” said Mayor Reed. “Major policy decisions,

including the purchase of real estate will be decided during open session, giving the public an opportunity to participate in the process. The Council, or any other City policy body, cannot make major decisions in closed session unless absolutely necessary.”

New rules regarding closed session meetings apply to the City Council or other City policy bodies. The rules require:

- Discussions regarding the purchase of real property cannot include rebudget decisions.
- A statement in open session that states why closed session is being held.
- Approval of proposed agreements to purchase/sell real estate, proposed labor contracts, council appointee contracts, litigation settlements, to occur in open session.
- Announcement during open session following a closed session meeting of what was decided.
- Decisions to settle litigation for more than \$50,000 to be made in open session.

To increase public participation and input in major City decisions, the Council also decided that any new policy or process that “would have a significant Citywide impact or lead to a change in Citywide service levels” triggers a new public engagement process. This includes:

- Early notification process, including posting information on the City website.
- Two community meetings early on in the process.
- One community meeting to present the final recommendation.
- Additional advertising during the public hearing notice process.

Later this year, the Sunshine Reform Task Force and City Council will review which City boards, commissions, and task forces must adhere to the new regulations. The requirements currently apply for the City Council, its committees, and the Redevelopment Agency Board of Directors.

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